

Serial No. 10/725,159

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

: Group Art Unit: 1615

ERNING XIA et al.

: Examiner: BETHANY P. BARHAM

Serial No. 10/725,159

Filed: December 1, 2003

For: GENTLE AND ENHANCED
PRESERVATIVE SYSTEMS

Attorney Docket No. P03366

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

HONORABLE COMMISSIONER OF PATENTS

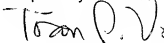
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Sir:

In response to the Notification of Non-Compliant Appeal Brief dated August 19, 2008 in which the Office suggested that the claim appendix should start on a separate page, Appellants are submitting the claims in an appendix starting on a separate page, as suggested. Only the claim appendix is being submitted because the Notification indicates that only this section need be submitted in response thereto.

Respectfully submitted,



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VIII. Claim Appendix

The Claims on Appeal:

Claim 4 (Previously Presented): The method of claim 20, wherein said one or more cationic polysaccharides are selected from the group consisting of polyquarternium-10.

Claim 7 (Previously Presented): The method of claim 21, wherein said one or more cationic polysaccharides are selected from the group consisting of polyquarternium-10.

Claim 9 (Previously Presented): The method of claim 20 or 21 wherein said solution includes one or more buffers or buffering systems.

Claim 10 (Previously Presented): The method of claim 20 or 21 wherein said solution includes one or more tonicity agents.

Claim 11 (Previously Presented): The method of claim 20 or 21 wherein said solution includes one or more surfactants.

Claim 12 (Previously Presented): The method of claim 20 or 21 wherein said solution includes one or more viscosity agents.

Claim 20 (Previously Presented): A method of imparting a preservative efficacy to a contact lens solution, the method comprising:

providing in said contact lens solution a preserving agent that comprises one or more saccharides selected from the group consisting of glucose and α -methyl gluco-pyranoside in their D or L forms in combination with one or more polyquarternium-10 cationic polysaccharides, wherein the saccharides and cationic polysaccharides are in amounts effective for solution preservation.

Claim 21 (Previously Presented): A method of imparting a preservative efficacy to a solution that is usable for treating a medical device, the method comprising:

providing in said solution a preserving agent that comprises one or more saccharides selected from the group consisting of glucose and α -methyl gluco-pyranoside in

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their D or L forms in combination with one or more polyquaternium-10 cationic polysaccharides, wherein the saccharides and cationic polysaccharides are in amounts effective for solution preservation.